



ZON04-00039



ZON04-00039



ZON04-00039



ZON04-00039



ZON04-00039



ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACTS 17C165, 17C166, 17C167, 17C168, BLOCK 79, SECTION 8, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (JOE BATTLE BOULEVARD NORTH VISTA DEL SOL DRIVE) FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *Tracts 17C165, 17C166, 17C167, 17C168, Block 79, Section 8, Township 3, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas*, be changed from **R-3 (Residential)** to **C-4 (Commercial)** within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from **R-3 (Residential)** to **C-4 (Commercial)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

1. *That a Detailed Site Development Plan be reviewed and approved pursuant to the El Paso Municipal Code prior to the issuance of any building permits, and that the site development plan submitted with this rezoning application be accepted to meet this requirement.*
2. *A ten-foot (10') wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along the property line where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.*

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefitted thereby, and without affecting the validity of this ordinance.

(signatures on next page)

PASSED AND APPROVED this 25th day of May, 2004.

THE CITY OF EL PASO

Joe Wardy, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:

Fred Lopez, Zoning Coordinator
Planning, Research & Development

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

Acknowledgment

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2004,
by JOE WARDY as MAYOR of THE CITY OF EL PASO.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:
